

Strengthening Occupational Safety and Health Across Borders: A Public Health Perspective

Ellen R. Shaffer, PhD MPH
Center for Policy Analysis on Trade and Health
(CPATH)

cpath@cpath.org www.cpath.org

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Strengthening OHS

- Potential for progress through trade
- Goals determine success
 - Trade goals
 - Public health goals
- Bumps in the road: NAFTA, FTAA
- Is there a better course?
 - Principles
 - Practices
 - Key partners

International Trade: Positive Potential

- Increase prosperity
- Harmonize standards upward
- Strengthen labor and community rights
- Greater human wellbeing

- APHA, PAHO, WHO, ILO

Goals Determine Outcomes: Trade Agreements

- Maximize cross-border trade by private corporations, reduce barriers to trade
- Protection of human, animal, plant life cannot conflict with trade
- Negotiations and dispute resolution override domestic sovereignty – Countries:
 - Cannot “protect” national industries
 - But can “protect” unsafe working conditions

Goals Determine Outcomes: Public Health

■ WHO, PAHO, UN:

Right to highest attainable standard of health

- Safe and healthy working and living conditions
- Access to affordable vital human services
- Democratic participation in key policies

■ Sustainable economic development in the Americas requires cooperative partnerships among stakeholders

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1. Increase visibility of public health leaders in the global trade debate.
2. Education on implications of trade agreements for public health.
3. Develop alternative approaches.
4. Assure that trade policy promotes and protects health.
5. U.S. accountability in global policy

Bump in the Road: NAFTA, NAALC

- NAALC: North American Agreement on Labor Cooperation (side letter on labor)
- 28 cases filed with National Administrative Offices, 7 related to workplace safety/health
- No change in enforcement, regulations
- Grounds: Country's own regulations
- Critical partners excluded: Workers not involved in dispute resolution
- Process: No time lines for decisions

FTAA: Free Trade Area of the Americas

- Would create largest trading area in the world
- Americas experience widest economic inequalities, disparities in health outcomes
- Mirrors NAFTA provisions
 - Domestic regulations undermined
 - Less ability to protect OHS, health
 - Investor rights provision chills improvements

Is there a better course?

■ Principles

- Harmonization upward to best OHS standards
- Cooperative, problem-solving approach

■ Practices

- Assess trade agreement impact
- Enhance involvement of key partners, including labor and public health

■ Key partners

Principles - Example: US-Jordan Trade Agreement

- *Recognizing* the objective of sustainable development, and seeking both to protect and preserve the environment and to enhance the means for doing so in a manner consistent with their respective needs and concerns at different levels of economic development;
- *Recognizing* that their relations in the field of trade and economic activity should be conducted with a view to raising living standards and promoting economic growth, investment opportunities, development, prosperity, employment and the optimal use of resources in their territories;

Principles- Example: UN International Covenant on Economic, Social and Cultural Rights

Article 7

- The Parties recognize the right of everyone to the enjoyment of just and favourable conditions of work which ensure:
 - (a) Fair wages
 - **(b) Safe and healthy working conditions;**
 - (c) Equal opportunity to be promoted
 - (d) Rest, leisure

Practices: Enforcement

- Evaluate effectiveness of NAFTA enforcement through Working Group on Occupational Health and Safety
- Assure representation for workers and worker organizations in enforcement and evaluation processes
- Create user-friendly complaint system

Practices: Technical Assistance

- Support for upward harmonization
- Occupational technologies

Key Partners

- Labor
- Business
- Government
- Public Health
- Communities
- Media

Health Leaders Prescribe Caution on Trade Agreements

Drs. David Satcher, Joyce Lashof, Victor W. Sidel, Anthony Robbins, APHA, ANA, CPATH, Nov. 2003:

- New trade rules threaten ability of nations to protect public health
- Issue Call for Public Health Accountability



Call for Accountability: Health Takes Priority

- Assure that public health takes priority
- Assess impact of trade agreements on health
- Include public health community in trade negotiations
- Exclude provisions that could harm health, access to medications, health care, and other vital human services
- Assure universal access to health care, water and sanitation, affordable meds, education, and occupational and environmental safety

Conclusion: Strengthening OHS

- Incorporate public health principles
- Evaluate and improve practices
- Involve key partners
- To achieve progress through trade